

REMARKS/ARGUMENTS

The Office Action dated June 16, 2003, has been carefully reviewed in light of the Examiner's helpful comments and suggestions.

As a result of the Office Action, claims 1-32 and 34-62 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Moreover, claims 1-6, 13-32, 34-48, and 52-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin in view of Kargol. Also, claims 1-6, 17-32, 34-48, and 57-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karami in view of Hansen. Claims 7-12 and 49-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin in view of Kargol and further in view of Insley. These references have been carefully reviewed but are not believed to show or suggest Applicant's claimed invention in any manner. Reconsideration and allowance of the pending claims is therefore respectfully requested in view of the following remarks.

By the above amendment, claim 2 has been amended to overcome the Section 112, second paragraph, indefiniteness rejection. Since the density of high density portions is not 100%, therefore, the voids are provided in the high density portions.

Moreover, in response to the Examiner's concern as to "is the article in the structure of a spring," Applicant asserts that the article according claim 1 has an excellent impact resiliency as illustrated and described in the Test 3 in the specification. Therefore, the article of the present invention has a spring structure.

Furthermore, claims 9 and 12 have been canceled without prejudice and therefore rendering the Section 112, second paragraph, rejections moot.

In support of the patentability of the pending claims, Applicant provides the following comments, wherein each of these comments independently supports the patentability of the claimed invention. According to MPEP 2143.03, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. Martin does not teach or disclose a resin cushion article have a spring structure which has low density portions and high density portions of uniform thickness obtained by changing take-off speed for taking off the extruded continuous filaments. In Martin, it is impossible to obtain an article having low density portions and high density portions without embossing operation. Also, as shown in Figure 24 of Martin, the thickness of the embossed article is uneven.

Moreover, Kargol does not teach or disclose solid and/or hollow continuous filaments and/or short filaments made from a mixture of a polyolefin resin and vinyl acetate resin, ethylene vinyl acetate copolymer or styrene butadine styrene. According to the method described in Kargol, it is necessary to apply a polymeric coating to bind the high density portion and the low density portion. However, according the claimed invention, it is not required to use binder between the high density portions and the low density portions, because a resin cushion article having a spring structure which has low density portions and high density portions of uniform thickness can be obtained by changing take-off speed for taking off the extruded continuous filaments.

Moreover, Karami does not teach or disclose a resin cushion article having a spring structure which has low density portions and high density portions of uniform thickness obtained by changing take-off speed for taking off the extruded continuous filaments.

According to Karami, the high density portion and the low density portion of the article are made by compression.

Furthermore, it is impossible to form an article disclosed in the present invention by using fibers disclosed in Hansen because Karami does not teach or disclose how to bind the high density portions and low density portions. In addition, the invention of Karami relates to an absorbent article comprising an absorbent pad assembly having a backing sheet of fluid impervious material, a top sheet, and an absorbent pad located intermediate the backing and top sheets and comprising a mass of fibers. Therefore, in view of the foregoing, it is respectfully submitted that claim 1 is patentable over the prior art.

Each issue raised in the Office Action dated June 16, 2003, has been addressed and it is believed that the application is now in condition for allowance. Wherefore, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
DENNISON, SCHULTZ &
DOUGHERTY

By: 

Amir H. Behnia
Reg. No. 50,215
(703) 412-1155 Ext. 16